

Highways.

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Acts and Laws

Passed by the Great and General Court or Assembly of His Majesty's Province of the *Massachusetts Bay in New-England*: Begun and held at *Boston* upon Wednesday the twenty-eighth of *May* 1746. And continued by Adjournments to Wednesday the twenty seventh of *August* following.

C H A P. IX.

An Act in further addition to an Act
intituled *An Act for Highways.*

WHEREAS in and by an Act made in the twelfth Year of the Reign of her late Majesty Queen Ann, intituled, An Act in Addition to the Law of this Province, intituled, An Act for Highways, made in the fifth Year of the Reign of the late King William and Queen Mary; Provision is made for the laying out particular private Ways between any Inhabitants or Proprietors within their respective Towns to or for any original Lot, but no Power or Liberty is therein given for the laying out any such Way to any Tract of Land that is not an original Lot, which is oftentimes equally necessary: Wherefore,

Be it enacted by the Governour, Council and House of Representatives, That the Select Men of each Town respectively (and in Case of their Delay or Refusal his Majesty's Justices of the Peace within the several Counties of this Province at any of their General Sessions) be and hereby are fully authorized and empowered by themselves or others to lay out or cause to be laid out particular or private Ways as shall be thought necessary to or for any Tract of Land, not on original Lot, as they are by said Act of Queen Anne, for an original Lot; under the same Regulations and Restrictions, and observing the same Rules as are therein specified directed and provided.

This Act to continue in Force for the Space of three Years from the Publication thereof, and from thence to the End of the next Session of the General Court and no longer.

1746.

Anno Regni Regis GEORGII II. Viceſſimo.

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Firing of Guns.

C H A P. X.

An Act to prevent the firing of Guns charged with Shot or Ball in the Town of Boston.

Preamble.

WHEREAS by the indiscreet firing of Guns laden with Shot and Ball within the Town and Harbour of Bolton, the Lives and Limbs of many Persons have been lost, and others have been in great Danger, as well as other Damage has been sustained.

For the Prevention thereof for the future ;

Penalty for firing off laden Cannon.

Be it enacted by the Governour, Council and House of Representatives, That no Person or Persons from and after the Publication of this Act shall presume to discharge or fire off any Cannon laden with Shot from any Wharff or Vessel in that Part of the Harbour of said Town which is above the Castle, on Pain of forfeiting the Sum of *fifteen Pounds* for each Gun so fired or discharged ; one Moiety of said Penalty to be to and for the Use of the Poor of said Town of *Boston*, and the other Moiety to him or them who shall inform, complain and sue for the same, to be recovered by Action, Bill, Plaint or Information, before any of his Majesty's Courts of Record within the County of *Suffolk*, and upon Refusal thereof such Person shall suffer three Months Imprisonment without Bail or Mainprize.

Penalty for discharging Guns or Pistols laden with Shot or Ball.

And be it further enacted, That no Person shall from and after the Publication of this Act discharge any Gun or Pistol charged with Shot or Ball in the Town of *Boston* (the Islands thereto belonging excepted) or in any Part of the Harbour between the Castle and said Town, on Pain of forfeiting *forty Shillings* each Gun or Pistol so fired or discharged, to be recovered before one or more of his Majesty's Justices of the Peace for the County of *Suffolk*, and disposed of in Manner as aforesaid, or shall suffer ten Days Imprisonment. And for the more effectual Conviction of any Person or Persons so offending, it shall be lawful for any Person to seize and take into Custody any Gun so fired off, and deliver the same to one of the next Justices of the Peace in said Town of *Boston*, in order to its being produced at Time of Trial.

Provido.

Provided nevertheless, That this Law shall not be so construed or understood as to prevent Soldiers in their common Training Days with the Leave and by Order of the Commission Officers of the Company to which they belong, or other Persons at other times with the Leave of one or more of the Field Officers of the Regiment in *Boston*, from firing at a Mark or Target for the Exercise of their Skill and Judgment, provided it be done at the lower End of the Common ; nor from firing at a Mark from the several Batteries in the Town of *Boston*, with the Leave of the Captain General, and no where else.

Limitation.

This Law to continue and be in Force for the Space of three Years and no longer.

CHAP.